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HOUSE BILL 35

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Max Coll

AN ACT

RELATING TO DENTISTRY; REQUIRING AS A CONDITION OF LICENSE
RENEWAL PROOF OF CARE FOR MEDICAID AND DEVELOPMENTALLY
DISABLED PATIENTS; PROVIDING EXCEPTIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 61-5A-16 NMSA 1978 (being Laws 1994,
Chapter 55, Section 16) is amended to read:

"61-5A-16. [~~LICENSES~~] LICENSE AND CERTIFICATE
RENEWALS. --

A. All licensees shall be required to renew their
licenses triennially as established in rules and regulations
of the board.

B. All dental assistants certified in expanded
functions shall be required to renew their certificates
triennially as established in rules and regulations of the

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1 board.

2 C. The board or committee may establish a method
3 to provide for staggered triennial terms and may prorate
4 triennial renewal fees and impaired dentist and dental
5 hygienist fees until staggered triennial renewal is
6 established. The fact that a [~~practitioner~~] licensee or
7 certificate holder has not received a renewal form from the
8 board or committee shall not relieve the [~~practitioner~~]
9 licensee or certificate holder of the duty to renew the
10 license or certificate nor shall such omission on the part of
11 the board or committee operate to exempt the [~~practitioner~~]
12 licensee or certificate holder from the penalties for failure
13 to renew the [~~practitioner's~~] license or certificate.

14 D. All [~~licensed practitioners~~] licensees shall
15 pay a triennial renewal fee and an impaired dentist [~~and~~] or
16 dental hygienist fee [~~and~~]. All [~~practitioners~~] licensees or
17 certificate holders shall return a completed renewal
18 application form that includes proof of continuing education
19 or continued competency.

20 E. Each application for triennial renewal of
21 license or certificate shall state the [~~practitioner's~~]
22 licensee's or certificate holder's full name, business
23 address, the date and number of the license or certificate and
24 all other information requested by the board or committee.

25 F. Any [~~practitioner~~] licensee or certificate

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1 holder who fails to submit an application for triennial
2 renewal on or before July 1 but who submits an application for
3 triennial renewal within thirty days thereafter shall be
4 assessed a late fee.

5 G. Any [~~practitioner~~] licensee or certificate
6 holder who fails to submit application for triennial renewal
7 between thirty and sixty days of the July 1 deadline may have
8 [~~their~~] his license or certificate suspended. If the
9 [~~practitioner~~] licensee or certificate holder renews by that
10 time, the licensee or certificate holder shall be assessed a
11 cumulative late fee.

12 H. The board or committee may summarily revoke,
13 for nonpayment of fees or failure to comply with continuing
14 education or continued competency requirements, the license or
15 certificate of [~~any practitioner~~] anyone who has failed to
16 renew his license or certificate on or before August 31.

17 I. After January 1, 2000, as a condition of
18 license renewal a dentist must show proof that at least ten
19 percent of his patients are medicaid recipients and at least
20 one percent of his patients are developmentally disabled.
21 This subsection does not apply to retired dentists or locum
22 tenens dentists who do not maintain a separate practice. A
23 dentist who cannot meet the percentage requirements of this
24 subsection may be granted a license renewal if he can prove to
25 the board's satisfaction that:

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